

REMARKS/ARGUMENTS

This Response is in reply to the Office Action mailed on December 20, 2005, wherein Claims 1-3, 5-8 and 14-16 were allowed, while Claims 17-22 were rejected as being anticipated by *Schumann* (U.S. Pat. No. 6,146,141). Applicants appreciate the learned Examiner's allowance of Claims 1-3, 5-8, and 14-16, and respectfully traverse the rejections of Claims 17-22 for the following reasons.

Looking first to independent Claims 17 and 21, *Schumann* is cited as disclosing an isolated weapon simulator having a bolt providing recoil for a user comprising and including all of the recited limitations. In particular, *Schumann* is cited as having a recoil valve and a pilot valve as described in the present claims, although a single changeover valve (24) is the only valve cited for the recited elements. Since *Schumann* does not include both a recoil valve and an electrically controlled valve as described in these claims, it cannot anticipate Claims 17 or 21. For prior art to anticipate a claimed invention under §102, every element of the claimed invention must be identically disclosed, either expressly or under principals of inherency, in a single reference. Corning Glass Works v. Sumitomo Electric, 9 U.S.P.Q. 2d 1262, 1265 (Fed. Cir. 1989). If the claim does not literally read on the reference, there is no anticipation. Lewmar Marine, Inc. v. Barient, Inc., 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987). Consequently, Applicant respectfully requests that this rejection be withdrawn on this basis.

Furthermore, Claim 17 describes an "electrically-controlled valve" used in the weapon simulator, and Claim 20 further describes the electrically-controlled valve further as a pilot valve. *Schumann* does not describe a corresponding electrically-controlled valve. Rather, *Schumann* describes the use of a pneumatic/electric converter (although not illustrated) that is

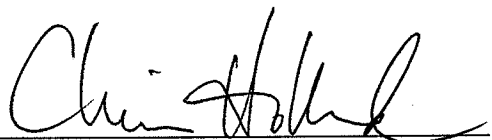
provided at the changeover valve to deliver an electric signal to the electronics control system **13** to generate a laser impulse through the laser **1**. Consequently, the electric converter identified does not control the valve in any way; rather, it simply sends a signal to a control system for generation of the desired laser. Moreover, referring to the Examiner's comments in the Office Action dated June 16, 2004, it was clarified that the prior art, including *Schumann*, does not teach or suggest a simulated gun device that simulates recoil using a regulated gas supply for moving a piston wherein a first pilot valve conveys the gas to the distal end of a second recoil valve to displace the recoil valve in the valve chamber.

Consequently, since every element of the claimed invention must be identically disclosed, either expressly or under principals of inherency, in a single reference to reject claims under §102, Applicant submits that *Schumann*'s failure to disclose an electrically-controlled valve or a pilot valve prevents it from anticipating the Claims 17 or 20, or those claims depending therefrom.

In view of the foregoing clarifications, Applicants respectfully request favorable action at the Examiner's earliest convenience. Should any additional fees be necessary for a proper response, Applicant requests that Charge Account No. 02-4300 to Smith, Gambrell & Russell be charged for said fees.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By: 
Christopher A. Holland, Reg. No. 46,316

Suite 3100, Promenade II
1230 Peachtree Street, N.E.
Atlanta, Georgia 30309-3592
Telephone: (404) 815-3770
Facsimile: (404) 685-7070